

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TFW

Application of:

Kukolj & Pause

Confirm. No.: 9062

Serial No.: Filed:

10/789,355 February 27, 2004 Art Unit: 1648

For:

February 27, 2004) Examiner: Li, Bao Q.

. 3.7

Self-Replicating RNA Molecule from Hepatitis C Virus

Docket No.:

13/083-3-D2

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE

Sir:

This is in response to a communication received from the Examiner in charge of the subject application, which communication was mailed on October 18, 2005.

The communication mailed October 18th comprised a restriction requirement. Applicants, through their attorney, hereby elect for prosecution the invention designated as Group I, claims 1 and 3 through 6 drawn to a HCV polynucleotide comprising one substitution mutation. Additionally, as requested by the Examiner, applicants elect as species G2042C. However, it is respectfully requested that the second mutation G2042R be included in the search, since such mutation is at the same position.

The election is without traverse.

Respectfully submitted,

Mary-Ellen M. Devlin Attorney for Applicants

Reg. No. 27,928

Patent Department Boehringer Ingelheim Corp. 900 Ridgebury Road, P.O. Box 368 Ridgefield, CT 06877 Tel: (203) 798-4866 Certificate of Mailing

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

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on November 16, 2005.

Mary-Ellen M. Devlin, Reg. No. 27,928